ESTTA Tracking number:

ESTTA753791 06/21/2016

Filing date:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92063694
Party	Defendant K. Hansotia & Co., Inc.
Correspondence Address	K HANSOTIA & CO INC 6600 HIATUS ROAD TAMARAC, FL 33321 UNITED STATES
Submission	Answer
Filer's Name	Pablo Meles
Filer's e-mail	pmeles@bellsouth.net
Signature	/pablo meles/
Date	06/21/2016
Attachments	Answer_BLACKDRAGON_Cancellation.pdf(120645 bytes)

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

REGISTRATION NO. 4,506,303			
Sazerac Brands, LLC	)		
Petitioner	)		
٧.	) Cancellation No. 92063694		
K. HANSOTIA & CO., INC.	)		
Respondent	) )		

## ANSWER AND AFFIRMATIVE DEFENSES OF K. HANSOTIA & CO.

Registrant, K. Hansotia & Co. (hereinafter "Respondent") by and through its undersigned counsel, hereby files its Answer and Affirmative Defenses to Petitioner, Sazerac Brands, LLC ("Sazerac") Complaint and states as follows:

1. Without knowledge therefore denied.

IN THE MATTER OF TRADEMARK

- 2. Without knowledge therefore denied.
- 3. Without knowledge therefore denied.
- 4. Without knowledge therefore denied.
- 5. Admitted.
- 6. Admitted.
- 7. Without knowledge therefore denied.
- 8. Without knowledge therefore denied.
- 9. Without knowledge therefore denied.
- 10. Without knowledge therefore denied.

- 11. Without knowledge therefore denied.
- 12. Without knowledge therefore denied.
- 13. Without knowledge therefore denied.
- 14. Without knowledge therefore denied.

## **AFFIRMATIVE DEFENSES**

## **First Affirmative Defense**

(Failure to State A Claim)

15. Petition has failed to state a claim upon which relief can be granted.

### **Second Affirmative Defense**

(Laches)

16. Petitioner's claims for relief are barred, in whole or in part, by the doctrine of laches.

### **Third Affirmative Defense**

(Estoppel)

17. Petitioner's claims for relief are barred, in whole or in part, by the doctrine of estoppel.

#### **Fourth Affirmative Defense**

## (Unclean Hands)

18. Petitioner's claims are barred, in whole or in part, by the doctrine of unclean hands.

Dated: June 21, 2016 Respectfully submitted,

/pablo meles/------Florida Bar Number 794244
Pablo Meles, P.A.
304 Indian Trace No. 710
Weston, FL 33326
Tel: 954-389-4846
Email: pmeles@bellsouth.net
Attorneys for Respondent

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 21nd Day of June 2016, I electronically filed the foregoing with the Trademark Trial and Appeal Board system which will send a notice of electronic filing to counsel of record. I further certify that a copy of the foregoing was sent via First Class Mail to counsel for Petitioner, to:

Vincent J. Baadolato
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1299 Pennsylvania Ave NW STE 700
Washington, DC 20004
UNITED STATES
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Attorneys for Respondent